

YBE1-BQ62



PATENT APPLICATION

M's P #3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Joseph Neev, et al.

Serial No.: 09/878,002

Filed: June 8, 2001

For: METHOD AND APPARATUS FOR  
TISSUE TREATMENT AND  
MODIFICATION

Patent Examiner:

Art Unit: 2881

January 2, 2002

Irvine, California 92614

COPY OF PAPERS  
ORIGINALLY FILED

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION**

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Responsive to the Notice to File Missing Parts of Nonprovisional Application dated August 16, 2001, please find enclosed the following:

1. A Declaration and Power of Attorney signed by one of the inventors, Joseph Neev.
2. A Petition Under Rule 47 regarding inability to locate the other inventor, Oleg Konoplev, including Declaration of Joseph Neev with attached exhibits in support.
3. A check in the amount of \$655.00 in payment of the surcharge for late filing of the Declaration (37 C.F.R. Section 1.16(e)) and petition fee (37 C.F.R. Section 1.178).

4. A copy of formalities letter regarding Notice to File Missing Parts of Nonprovisional Application.

5. Substitute formal drawings in compliance with 37 C.F.R. Section 1.84 as required in the formalities letter.

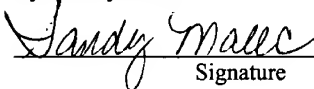
6. Petition requesting three month extension of time and required fee.

Please charge any additional fees required to our deposit account No. 16-2462. A duplicate copy of this letter is enclosed for that purpose.

Kindly contact the undersigned attorney at the listed telephone number if a telephone call would expedite matters.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on January 2, 2002.

By: Sandy Malec

  
Signature

Date: January 2, 2002

Respectfully submitted,

**PRICE AND GESS**



Albin H. Gess  
Registration No. 25,726  
2100 S.E. Main St., Suite 250  
Irvine, California 92614  
Telephone: 949/261-8433

COPY OF P&T  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/878,002	06/08/2001	Joseph Neev	16224-16/NEC

STRADLING YOCCA CARLSON & RAUTH  
IP Department  
660 Newport Center Drive, Suite 1600  
P.O. Box 7680  
Newport Beach, CA 92660-6441



CONFIRMATION NO. 1771

## FORMALITIES LETTER



\*OC00000006431193\*

Date Mailed: 08/16/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

07/11/2002 SSANDARA 00000003 09878002

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65.00 OP

*A copy of this notice MUST be returned with the reply.*

09878002-16224-16224

*Lillian*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09878002-120704